

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**ALVIE PERNELL**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:07CV729TSL-JCS**

**PROGRESSIVE GULF INSURANCE COMPANY**

**DEFENDANT**

**ORDER OF DISMISSAL WITH PREJUDICE**

This matter is before the Court on the motion *ore tenus* of the parties who hereby agree to the entry of this order dismissing the cause with prejudice. The Court is fully advised in the premises and finds that the motion is well-taken and it is hereby

ORDERED AND ADJUDGED that this case is dismissed with prejudice, with each party to bear its own costs.

SO ORDERED AND ADJUDGED, this the 8<sup>th</sup> day of January, 2009.

/s/Tom S. Lee

UNITED STATES DISTRICT JUDGE

AGREED TO AND APPROVED:

/s/ Joe N. Tatum

JOE N. TATUM, MB #10308  
Attorney for Plaintiff

/s/ C. Maison Heidelberg

C. MAISON HEIDELBERG, MB #9559  
Attorney for Defendant